CLCON No. 12 of 2006

Hon. P.C. Pant, J.

Heard.

This contempt petition has been filed against the Divisional Manager of New India Assurance Company Limited for non-compliance of the award passed by the Motor Accident Claims Tribunal, Pauri Garhwal and enhanced by this Court.

The remedy to execute the award lies under Section 174 of the Motor Vehicles Act, 1988. The claimant – petitioner may move an application before the Motor Accident Claims Tribunal concerned for issuance of certificate for the amount unpaid to be sent to Collector for recovery of the unpaid awarded sum. As such, this contempt petition is not maintainable.

Accordingly, the contempt petition is dismissed with the observation that the petitioner is at liberty to get executed the award, passed by the Tribunal and enhanced by this Court, as above.

(P.C. Pant, J.)

Dt. 16.02.2006
HN